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7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

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11 IEHAB HAWATMEH, individually; )  
12 YASMEEN HAWATMEH, individually; )  
LAYTH HAWATMEH, individually; and )  
13 IEHAB HAWATMEH, as Administrator of the )  
ESTATE OF JOSEPH HAWATMEH, )  
14 deceased, )  
15 Plaintiff, )

Case No. 2:22-cv-01786-APG-DJA

16 vs. )

**NOTICE OF APPEAL**

17 CITY OF HENDERSON, NEVADA, a political )  
subdivision of the State of Nevada; CITY OF )  
18 HENDERSON POLICE DEPARTMENT, a )  
political subdivision of the State of Nevada; )  
19 THEDRICK ANDRES, individually and as a )  
policy maker and Chief of CITY OF )  
20 HENDERSON POLICE DEPARTMENT; )  
LIEUTENANT THOMAS CHIELLO )  
21 individually and in his official capacity; )  
LIEUTENANT JAIME SMITH fka )  
22 SERGEANT JAIME CLEAR, individually and )  
in her official capacity; SERGEANT SETH )  
23 VAN BEVEREN, individually and in his )  
official capacity; OFFICER BRETT )  
24 ANDERSON individually and in his official )  
capacity; OFFICER JESSE HEHN individually )  
25 and in his official capacity; OFFICER JESSE )  
LUJAN individually and in his official capacity; )  
26 OFFICER JAMES PENDLETON individually )  
and in his official capacity; OFFICER LUIS )

AMEZCUA individually and in his official )  
 capacity; OFFICER PHILIP DUFFY )  
 individually and in his official capacity; )  
 OFFICER SETH PRICE individually and in his )  
 official capacity; DOE CITY OF HENDERSON )  
 POLICE DEPARTMENT SUPERVISORS I )  
 through X, inclusive; ROE CITY OF )  
 HENDERSON POLICE DEPARTMENT )  
 OFFICERS XI through XX, inclusive, )  
 Defendants. )

### **NOTICE OF APPEAL**

Notice is hereby given that Plaintiffs, IEHAB HAWATMEH, individually; YASMEEN HAWATMEH, individually; LAYTH HAWATMEH, individually; and IEHAB HAWATMEH, as Administrator of the ESTATE OF JOSEPH HAWATMEH, deceased, hereby appeal to the United States Court of Appeals for the Ninth Circuit from:

1. That Order entered on September 18, 2024, granting in part Defendants' Motion to Dismiss and dismissing Plaintiffs' state law claims without prejudice to filing them in State Court [ECF #72];
2. The corresponding Judgment in a Civil Case entered on September 19, 2024 [ECF #73];
3. All rulings and interlocutory orders giving rise to or made appealable by any of the foregoing.

DATED this 4<sup>th</sup> day of October, 2024.

ROGER P. CROTEAU & ASSOCIATES, LTD.

/s/ Roger P. Croteau  
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*Attorney for Plaintiffs*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of October, 2024, I served via the United States District Court CM/ECF electronic filing system, the foregoing **NOTICE OF APPEAL** to the following parties:

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***Attorney for Defendants***

/s/ Timothy E. Rhoda  
An employee or agent of ROGER P.  
CROTEAU & ASSOCIATES, LTD.